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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/851,471

05/07/2001

Tzueng-Yau Lin

81842.0005

3597

26021

7590

11/15/2006

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EXAMINER

GIESY, ADAM

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20061108

DATE MAILED:

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**Commissioner for Patents**

## **DETAILED ACTION**

### ***Response to Amendment***

1. Newly submitted claims 18-23 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Applicant received an Office Action on claim 1-17 drawn to a playback system comprising: a depacketizer circuit and at least one decoder core.

The newly submitted claims include an access unit as well as the limitation "...decoding the depacketized access unit by the same decoder core for a second substream of the access unit after the first substream is decoded if the number of the substreams is more than one..." which are not drawn to the elected invention.

The above inventions are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case the product as claimed can be used in a materially different process such as processing any other multi-channel data in data streams.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 18-23 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Art Unit: 2627

2. The reply filed on 8/25/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The amendment filed on 8/25/2006 canceling all claims and presenting new claims drawn to a separate invention is non-responsive (MPEP § 821.03).

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

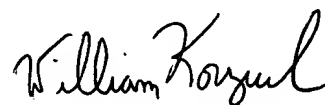
### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam R. Giesy whose telephone number is (571) 272-7555. The examiner can normally be reached on 8:00am- 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARG 11/8/2006



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